IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2006

CORAM:

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.30056 of 2004

1.Anjalai
2.Vasanthi
3.Rathinambal
4.Sangeetha .. Petitioners

Vs.

1. The District Collector,
   Villupuram District,
   Villupuram.

2. The Block Development Officer,
   Ulundurpet,
   Villupuram District.

3. The President,
   Poo.Kunalavadi Village Panchayat President,
   Villupuram District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records of the impugned order passed by the second respondent in his proceedings in Na.Ka.A3/3680/2004 dated 13.09.2004, and quash the same and direct the second respondent to allot the work order as per order in Na.Ka.A3/2501/2004 dated 30.06.2004, on the file of the second respondent.

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For petitioners : Mr.Saravanakumar for Mr. John Peter

For respondents : Mr.D.Srinivasan for R1
Mr.S.V.Duraisolaimalai for R2 and R3

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O R D E R

The prayer in the writ petition is to issue a writ of certiorarified mandamus to call for the records relating to the impugned order passed by the second respondent in his proceedings in Na.Ka.A3/3680/2004, dated 13.09.2004, quash the same and direct the second respondent to allot the work order as per order in Na.Ka.A3/2501/2004, dated 30.06.2004, on the file of the second respondent.

2. The brief facts, as stated in the affidavit, necessary for the disposal of this writ petition, are as under:

The petitioners are the permanent residents of the Poo.Kunalavadi Village. They do not possess any own land and they have only been issued with the revenue Pattas by the Government. Under the Indira Memorial Group House Scheme, the first respondent has sanctioned 344 houses for the scheduled caste and scheduled tribe community people and 158 houses for the people belonging to other communities in Villupuram District, based on the proceedings of the Director of Rural Development, Chennai, out of which 10 houses have been sanctioned for the Poo.Kunalavadi village. The eligibility for such allotment was also indicated by the first respondent in his order dated 25.06.2004, which states that, house site will be allotted to a person only if such person is having revenue patta. Also, in the Special Village Sabha Meeting held on 02.07.2004 conducted by the third respondent, 10 members have been selected including the petitioners, for allotment of house under the said scheme. To this effect, work order has been granted to the petitioners vide order of the second respondent in Na.Ka.A3/2501/2004, dated 30.06.2004, with certain conditions. Based on the work order, the petitioners have demolished their respective houses and dug pits for laying the necessary foundation by spending a sum of about Rs.10,000/-. But, all of a sudden, the second respondent in his proceedings in Na.Ka.A3/3680/2004, dated 13.09.2004, cancelled the work order allotted by the 1st respondent, District Collector without any notice or enquiry. In these circumstances, the present writ petition is filed seeking relief as above.

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3. The learned counsel appearing for the second respondent has produced the original letter Na.Ka.A3/5289/2004, dt.19.10.2005 from the second respondent, stating that houses have been allocated for the petitioners as per the order of the District Collector Na.Ka.A3/1883/2005, dated 1.10.2005, and submitted that in view of the allocation of houses as per the above order of the District Collector, nothing survives in the writ petition. The learned counsel appearing for the petitioners has also accepted the said contention.

4. In view of the foregoing reasons, the matter in the writ petition has become infructuous. The writ petition is disposed of on the above terms. Consequently, W.P.M.P. No.36497 of 2004 is closed. No costs.

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Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The District Collector,
   Villupuram District,
   Villupuram.

2. The Block Development Officer,
   Ulundurpet,
   Villupuram District.

+ 1 cc to Mr. S. Saravana Kumar, Advocate SR No. 37027

+ 1 cc to Government Pleader SR No. 37171

GM(CO)
SR/22.8.2006 W.P.No.30056 of 2004

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